

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DARLINGTON AMADASU,	:	Case No. C-1-01-210
	:	
Plaintiff,	:	Judge Dlott
	:	
v.	:	Magistrate Judge Black
	:	
JAMES R. DONOVAN, M.D., et al.	:	
	:	
Defendants.	:	ORDER DENYING PLAINTIFF'S
	:	MOTION FOR RULE 27(b)
	:	PERPETUATION OF TESTIMONY
	:	
	:	

Plaintiff Darlington Amadasu has moved to re-open this case and take additional discovery. Rule 27(b) of the Federal Rules of Civil Procedure, which is the sole legal basis for Mr. Amadasu's motion, provides that further depositions (and certain other discovery) may be taken pending appeal if necessary "to perpetuate [the witnesses'] testimony for use in the event of further proceedings in the district court." Mr. Amadasu's stated purpose for his motion is that he will be "handicapped in prosecuting his appeal" if the additional discovery is not allowed. Notably, Mr. Amadasu filed this motion the same day his brief to the Sixth Circuit was due in his appeal from the decision of this Court.

Mr. Amadasu never sought to take a single deposition during the five years that this case was pending. His motion to begin taking depositions nearly five months after the case has been closed is denied.

IT IS SO ORDERED.

—
S/Susan J. Dlott
Susan J. Dlott
United States District Judge